

Message

From: Calli, Rosemary [Calli.Rosemary@epa.gov]
Sent: 12/15/2020 2:56:45 AM
To: Palmer, Leif [Palmer.Leif@epa.gov]
CC: Ghosh, Mita [Ghosh.Mita@epa.gov]; Hicks, Matt [Hicks.Matthew@epa.gov]; McGill, Thomas [McGill.Thomas@epa.gov]; Creswell, Michael [Creswell.Michael@epa.gov]; Gettle, Jeaneanne [Gettle.Jeaneanne@epa.gov]
Subject: RE: Action Requested - Deliberative - Assumption Code 1g Funding and staffing FL Assumption ROUTING 20201201.docx

Thanks so much, Leif!

From: Palmer, Leif <Palmer.Leif@epa.gov>
Sent: Monday, December 14, 2020 6:40 PM
To: Calli, Rosemary <Calli.Rosemary@epa.gov>
Cc: Ghosh, Mita <Ghosh.Mita@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Subject: FW: Action Requested - Deliberative - Assumption Code 1g Funding and staffing FL Assumption ROUTING 20201201.docx

Hi Rosemary – I checked with OECA, they have no comments on FL Assumption. See [below](#).

FYI – everyone else, please see the attached which reflects EPA’s clarification that state or tribal Clean Water Act section 402 and 404 programs aren’t required to meet the same criminal intent standard required for federal CWA enforcement under Section 309 – which was one of OCEFT’s concerns with assumption.

From: Bodine, Susan <bodine.susan@epa.gov>
Sent: Tuesday, December 8, 2020 4:32 PM
To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Goodin, John <Goodin.John@epa.gov>
Cc: Ross, David P <ross.davidp@epa.gov>; Walker, Mary <walker.mary@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Subject: Action Requested - Deliberative - Assumption Code 1g Funding and staffing FL Assumption ROUTING 20201201.docx

Jeananne and John,

The Office of Enforcement and Compliance Assurance has no comments on FL Assumption.

Ex. 5 Deliberative Process (DP)

I apologize for any confusion Henry may have created.

Susan Bodine

Susan Parker Bodine
Assistant Administrator
Office of Enforcement and Compliance Assurance
202-564-2440

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Sent: Monday, December 7, 2020 3:06 PM
To: Walker, Mary <walker.mary@epa.gov>
Subject: FW: Action Requested - Deliberative - Assumption Code 1g Funding and staffing FL Assumption ROUTING 20201201.docx

From: Barnet, Henry <Barnet.Henry@epa.gov>
Sent: Wednesday, December 2, 2020 6:15 PM
To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Simons, Andrew <Simons.Andrew@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Goodin, John <Goodin.John@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Fisher, Mike <Fisher.Mike@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>
Subject: RE: Action Requested - Deliberative - Assumption Code 1g Funding and staffing FL Assumption ROUTING 20201201.docx

Jeaneanne,

We appreciate the opportunity to work on this issue and feel we made some good progress through our combined efforts. We have previously briefed DAA Bodine on this matter and expressed our concerns. With that being said, I believe she will concur with Florida's request since our federal enforcement authorities will not be impacted by this decision.

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

Thank you,
Henry

Henry E. Barnet, Director
Office of Criminal Enforcement, Forensics & Training
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
WJC South Room 1211
Washington, D.C. 20004
202.564.2480

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>

Sent: Tuesday, December 1, 2020 6:11 PM

To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Simons, Andrew <Simons.Andrew@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Barnet, Henry <Barnet.Henry@epa.gov>; Goodin, John <Goodin.John@epa.gov>

Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>; Speir, Jeffrey <speir.jeffrey@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; Fisher, Mike <Fisher.Mike@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Rubini, Suzanne <Rubini.Suzanne@epa.gov>

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Deliberative

All,

Attached and linked below are clean versions of the first three comment summaries & responses. Please review and provide your comments to me by COB tomorrow or not later than noon on Thursday. For any editing, we would like to request use of the SharePoint documents if possible, so that markups are combined in one place.

Please let me know if you have any questions.

Thanks
jeanneanne

Code 1g:

Ex. 6 Personal Privacy (PP)

Code 1h:

Ex. 6 Personal Privacy (PP)

Code 10c:

Ex. 6 Personal Privacy (PP)

Thank you,
Rosemary

Rosemary (Hall) Calli
Section Chief, Wetlands & Streams Regulatory Section
Aquatic Ecotoxicologist
U.S. Environmental Protection Agency, Region IV

404.562.9846
Calli.Rosemary@epa.gov